

quity from Bibb. Practice in Supreme Court. (Before Judge Simmons). Jackson, C. J.—1. It is not an open question here that where a judgment below was reversed by the party complaining therefrom writ of error will be dismissed. 7 Ga., 184.







(Continued from First Page.)

79, 227; 9 Id. 207; 33 Id. 205; 60 Id. 117; 64 Id. 446.

2. Unless the judgment excepted to be final, or would have been final if ruled as desired by the excepting party, there can be no writ of error. While the case is pending below, it can not be brought here unless the judgment here would finally dispose of it as respects the plaintiff in error. Code 14-259; 64 Ga. 368, 400, 66 Id. 573; 68 Id. 463, 527.

3. Therefore where an equity cause against two joint defendants was referred to a master in chancery, and on exceptions to his report, was dismissed as to one of the defendants, but remained pending as to the other, this was not a final adjudication to which the complainants could except; and if complainants then consented to a dismissal of the case as to the remaining defendant, it was a voluntary judgment from which a bill of exceptions would not lie at their instance.

(a) The refusal to dismiss as to a defendant may be ground of exception by him, because it ruled as he filed, the case would have been finally disposed of as to him; after as to a complainant who pursues two or more, and a dismissal is had as to one. 68 Ga. 463.

4. Parties cannot give premature jurisdiction to the Supreme Court by consenting to final judgments in the court below.

5. A bill being filed to open a decree founded on a settlement or agreement in which a trustee either defrauded or colluded with his successor, and induced him to get the consent of parties in interest, both necessary parties, and a voluntary dismissal as to one would render it impossible to prosecute the case against the other.

6. The whole case being out of court, exceptions pendente lite cannot be filed.

(a) A cursory glance at the record would indicate the probability of an affirmance; but we decide nothing on the merits.

Writ of error.

Fort, Hill & Harris, for plaintiffs in error.

Lanier & Anderson; Bacon & Rutherford, for defendants.

Artope et al. vs. Barker. Illegality, from Bibb, New Trial. Practice in Superior Court. Execution. Amendment. (Before Judge Simmons.)

Jackson, C. J. When the issues made by an affidavit of illegality were submitted to the presiding judge without a jury, and on demurrer the affidavit of illegality was dismissed, the remedy therefore was by exception to such judgment, and not by motion for new trial; the case going out of court on demurrer, nothing was left to try.

2. An affidavit of illegality is a remedy which lies only in favor of defendants in execution, and if filed by persons who are not defendants, it will be dismissed. Code 3304-5; 48 Ga. 365-7.

3. Ordinarily the amendment of an execution insures the fall of the levy, and it will be dismissed, but where an affidavit is made and levied, and an illegality is pending on a copy or alias it is subsequently issued, this copy could be amended so as to conform to the original, and the levy made on the original did not thereby fail. Code 3300-3.

Judgment affirmed.

A. Prout, for plaintiffs in error.

Hill & Harris, J. C. Rutherford, for defendants.

Grannis et al. vs. Cabbidge, Hazlehurst & Co. Assumpsit, from Bibb, Bankruptcy. Contracts. Principal and Agent. (Before Judge Simmons.)

Jackson, C. J. Where a firm received certain bonds from Bibb, Bankruptcy, and gave a receipt thereon in which it was specified that "we agree to return all of the aforesaid bonds with the coupons attached not due to said Grannis (the person from whom obtained) on or before the first day of July, 1878, and agree to pay to said Grannis ten per cent. interest on the face of said bonds from July 1, 1877, to July 1, 1878, for the use of said bonds, interest to be paid semi-annually on the first day of July, 1878, and said bonds were not a fiduciary debt within the meaning of the bankruptcy act, so as not to be discharged by the bankruptcy of the signers of the receipt. Rev. Stats. U. S. 5117, 5118; 68 Ga. 535.

(a) This case differs from those of agents whose general business is to deal with the property of others as agents entrusted therewith, and who fail to pay a debt contracted in such business, as an executor, auctioneer, factor or commission merchant. 44 Ga. 460; 54 Id. 125; 60 Id. 532; 67 Id. 702.

Judgment affirmed.

Lanier & Anderson, for plaintiffs in error.

Lyons & Gresham, for plaintiffs in error.

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## THE CONSTITUTION.

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ATLANTA, GA., OCTOBER 24, 1883.

INDICATIONS for South Atlantic states-to-day, partly cloudy weather and local rains, northerly winds or rising barometer and temperature.

The French chambers convened in Paris yesterday. Indications pointed to a conservative session.

The kluksu cases, now under investigation before the federal court, are developing much interest. An effort is being made to give it a political character.

HENRY IRVING, the great English actor, accompanied by Miss Terry, are now both in the United States attending the usual crowded houses and lavish contributions.

The recent tour of Henry Ward Beecher aroused at no place so great a sensation as in Augusta. Most of the clergymen combatted his views in their Sunday sermons.

The Episcopal convention spent the day yesterday in debating the relation of the negro to the church. The colored man seems to be an object of discord wherever he appears.

The Mitchell murder case, which has been watched with so much interest, has been given a new interest by the supreme court in reversing the judgment of the court below, thus giving the prisoner another chance before a jury.

The trial of some of the actors in a recent religious festival in Atlanta, gives an idea of negro life when freed from Caucasian restraint. It shows that there is vast room for improvement in the nation's discarded wards.

The father of Charlie Ross has been out west following up another clue. A convict claimed to have information derived from Moslin, the dead burglar. It was found out that he had his information second hand from another convict, whose story Mr. Ross seems inclined to accept as true.

**THE REPUBLICAN OUTLOOK.**  
Editor Dana's standing announcement that the republican party must seem to express not only the prevailing sentiment of the country, but the belief and desire of a large number of men who have heretofore acted with the republican party. From New York word comes through republican sources that the democratic majority in that state will not fall short of one hundred thousand votes, and the explanation of this is that a fatal apathy exists among the more respectable members of the party. D. C. Forney, a son of John W. Forney, and an enthusiastic republican, who has been looking around in New York and canvassing the prospects of the party with prominent men, declares that the masses are utterly indifferent to the success of the "grand old party." The support of the business men can be relied on no longer. They are as indifferent as the average republican voter, and Forney sees nothing ahead of the party but defeat. He finds this feeling of indifference expressed by men from Pennsylvania, Ohio and Massachusetts.

Mr. Forney endeavors to explain this on the ground that the republican voters are dissatisfied with the way in which the leaders have managed to compel the party to advance their own personal ends. This explanation gives the average republican voter little credit for either reflection or patriotism, and it is evidently made up to suit the ideas of a republican who sees his party going to pieces before his eyes and is unable to account for it. Boutwell, another partisan, admits that the republicans are on the ragged edge in Massachusetts, and he does not hesitate to say that Butler has the advantage in the campaign now progressing. John Sherman puts on a sad face over Ohio, and refuses to be comforted.

All this means something more than any of the republicans are willing to admit. It means that the people are tired of the corruption and mismanagement which have characterized republican administration. It is surely a hopeful sign when such republicans as Forney predict defeat for their party and admit that about the only hope the republican monopolists have is to elect Mr. Randall speaker of the democratic house, so that the corruption and robbery built up by an oppressive tariff system may be perpetuated.

### FREE TRADE.

All the arguments for freedom in general apply to freedom of trade, while against it can be urged only the same pleas and pretexts which are used in support of all other bondage and all abuses. For all freedom, freedom of person, limb, speech, conscience, the presumption is strong. In this powerful presumption, free trade has its full share. What is free trade? It is but the right to exchange my things for another's—both of us consenting thereto. Why should not trade be free? Whose rights does it violate? Yet this fundamental right is denied by the protectionists. Free trade is open air, sunlight, liberty. Our present commercial policy, suffocation, darkness, shackles. The return to true principles will be open air after a dungeon—free limbs after chains.

Suppose all barriers to commerce were as effectually removed between nations as they now are between the several states of the United States, each nation would then have cast off effectually, a cast iron suit—a straight jacket—imposed heretofore by ignorance and craft. The world would have found, in unity of interest, the strongest possible bond of peace. Our present policy is one in which selfishness is aggravated by stupidity. And

childish ignorance uncompensated by childish innocence. Once, all held the world did not move. Now, it is too late to deny it. So with the various currency and like fallacies. It is simply shameful not to understand them. Yet pretend to the knowledge and accept the responsibilities of a statesman!

Free trade restores us to the world and the world to us. It avails of all God's gifts to man, and is as wide as his bounty. The prosperity it gives is natural and broad-based on a safe bottom of honesty and enlightenment. Indeed, the huge possibilities involved in liberated commerce immeasurably exceed the highest estimates even of a thoughtful man. They ramify into a thousand blessings. They underlie all the lines of advance in material progress, and through this, of social and moral progress. Free trade knocked off the shackles from Great Britain, and with what a bound she expanded. The old and narrow system had cramped all her energies, like a Chinese shoe. Her chains gone, she burst forth into natural and vigorous life. Our future is yet grander—our risks far less than hers. Only the unfit industries will die. Commerce will enlarge. The world will be our market, and we will eclipse the world. Yet not injuriously. No honest interest will suffer. We may be, will be, ahead in the race, but Great Britain, Germany, France and all the powers great and small of Europe and America, of Asia and Africa, yea and of the islands of the sea, will be better off for it. The rivalry under free trade is a generous one. If we out-run them, as we will, they will out-run their former selves; the advantages will be mutual. Production is not a fixed quantity. It will go ahead when thus invited. So will commerce. The marine of the states will head the world. Her commerce will reach its every nook and corner. We have lost twenty years, but we will yet overtake the foremost, and pass by. Twenty years of free trade will do it. Our example will be instructive, and it will be followed. The Anglo-Saxon race will teach the world free trade and themselves do the most of the trade so liberated—England and the United States. That pernicious maxim of the devil, which asserts that, "one man's gain is another's loss" will be refuted. God did not so decree. All honest gains are helpful to all honest men. So too nations—one nation's gain is not another's loss. All fair and free exchange is mutual gain—profitable to both sides.

The object of all work is to fit nature to man's wants. By free trade at home and abroad each party gets the benefit of the whole of nature. The tropical fruits of the south, the grain of the temperate regions, the ice of the north are exchanged. Thus the whole world becomes the heritage of each people. The commerce of one little island, less in area than one of our larger states, far surpasses that of all our states and territories, with a shore line of many thousands of miles and internal navigation of streams which would girdle the globe. We tried to rival Great Britain. We are now far behind. We must surpass her. With our resources, what should our commerce be? We have grain and meats for food, cotton, wool and flax for clothes; iron, steel and metals for work; coal and water-power in abundance, mines, lumber and what not. We should manufacture goods for all human purposes, made on a natural basis and so fit for universal competition and open air. Commerce in the 19th century has made wholly unprecedented strides. Steamships on the coast await railroads from the interior, and swift and sure transportation encourages exchange. With the opportunity of exchange new life is diffused everywhere. Witness in Georgia the effect many years ago of the State road in Cherokee Georgia. Witness the effect of the Air Line road in northeast Georgia. It is like magic.

On a grander scale it operates in the great Northwest. Still grander will be its international form, when "protection" follies shall cease to obstruct the pathways which steam and iron have opened up to commerce. Before the distant transportation of breadstuffs was almost impossible. Even now, in China and India, famine is faster than freight, though food is supplied as fast as it can be transported. New facilities awake new energies. Wherever a railroad enters production takes a fresh start. A new market to receive begets a new market to supply. It works both ways.

The increase of British exports for forty years before free trade was but 120 per cent—of imports 102. In thirty-five years after free trade the increase on the enlarged basis was 379 for exports and 496 for imports. The foreign trade of Great Britain rose in thirty-four years from 575 to 3,125 millions of dollars a year. Thus do protection and exchange go hand in hand. Liberated commerce gives a powerful impetus to domestic prosperity. The exports of all nations being computed at from 4,000 to 4,250 millions of dollars—of them all Great Britain receives actually two-thirds. Her profits from commerce are computed at \$300,000,000. Our narrow policy debars us from our due share in the carrying trade of the world, for which we are eminently adapted.

In the policy of freedom the United States would risk least of all nations. She comes nearest to filling by her own resources the whole circle of human wants. England had to risk even food. Then the United States has increased rapidly; but hers has been the growth of youth. England's the growth of age, yet in rapidity almost like our own, though we have unlimited territory and immigration to fill it. England, but an island, was full to overflowing long years since and she was compelled to burst her bonds. Freedom has enabled her to support an enlarged population with an improved standard of living. All the United States now needs is a fair chance to escape from the protection quacks and be relegated to freedom. This would give us the same natural, healthful stimulus and our growth would be unprecedented. Time would fall to tell of the varied benefits, internal and external. Free commerce is as much the basis of national welfare as division of labor is the basis of individual. It begets prosperity, national and international. Free trade puts the business of the country on a solid business basis. It is like the change from a depreciated currency—good only locally, and at a discount—to gold—good everywhere, and at its face value. Under so-called protection, the business of the country is built on made earth—not solid ground. Worse still, the made earth has to be re-

newed year by year. On the true solid basis we should have comparative freedom from financial crises and panics. The uncertainties of business would be reduced to two necessary ones, viz., the natural gifts of God, in the annual seasons, and errors of calculation on a simplified basis. The effect of increased business security would react on national morals—not to speak of the gigantic effect on morals, by the removal of the corruptions which attend government extravagance.

On the external relations the good effects would be equally conspicuous. Free trade is an angel of peace and of good will among men. It is a gospel of peace, based on the strong foundation of interest.

Based on truth and the deepest human interests it is bound to triumph, and its triumph will be as beneficent as it will be permanent.

A CORRESPONDENT—ANONYMOUS, of course—complains because we apply the word "estimated" to our estimable contemporaries, and he signs his letter "your respectfully." Has our anonymous friend never observed that "your respectfully" is a farewell epithet is somewhat overdone? If he was, our "respectfully," or "truly"—or if he was "our obedient servant"—he would never write an anonymous communication.

MR. BERNARD will discover that the American hog is not to be trifled with. Hog's fat has hurried many a nation down hill. With trichinosis in its camp, and the French republican starting him in the face, the worthy German chancellor looks like a man with his hands full. Presently he will have to call in the police.

THERE are some very high bids for matinee tickets this season. The Philadelphia (all calls attention to the fact that audiences are always happy when Annie Pixley is on the stage. Such remarks as these for the prompt attention of the gentlemanly advance agent.

THERE are seventy-five thousand Mormon converts in Europe awaiting their turn to be converted to these hospitable shores. They are to be welcomed in the name of what American patriots choose to call religious liberty.

DOX CAMERON will arrive in his native land just in time to draw the soft drapery of a poultice around his chin and join the innumerable republican caravan as it moves up Salt river. The country must be cleaned out.

IT will be a sad day for Editor Gorham when he learns that Mahone must go. But then Editor Gorham need not weep. The ultimatum applies to all republicans—stallwart, half-breed, rag-tag and bobtail.

BOSTONSTRENGTH objects to any arrangement which upsets the standard time of that city. And really it seems that Boston and the sun are entitled to some consideration in this business.

THE khedive, it is said, works hard sixteen hours a day. But he need not expect by this display of industry to prevent the British bloodsuckers from walking off with all the valuables.

MR. BILL CHANDLER is now employing the remains of our defunct navy to take part in centennial celebrations. This goes to show that Mr. Bill Chandler is a journeyman patriot.

THE Times-Democrat puts in a claim for New Orleans as a summer resort for southern literature.

The republican party will have no home to go to when it retreats. It will have to dig for its living.

### POLITICAL NOTES.

MR. PENDLETON writes to Washington friends encouraging of his prospects for re-election to the senate.

THE chancery court at Nashville has dismissed a bill enjoining the Tennessee funding board from executing the 50-3 act of the legislature.

PRESIDENT HADEN, of the legislative council of Memphis, says that gambling cannot be entirely suppressed in a city, and that all that can be done is to regulate it.

JOHN QUINN ADAMS, who has been five times the democratic candidate for governor of Massachusetts, is announced to reside at a republican meeting shortly to be held in the town of Quincy, his residence.

LOWA saloon keepers are all said to favor prohibition rather than high license. Prohibition means free whisky and high license means retirement from business to a good many of the retail dispensers of fire rod.

MR. CHARLES ALMY has accepted for the fourth successive year the prohibition nomination for governor of Massachusetts. He says he and his party oppose the republican party because it recognizes and sanctions and claims to regulate the saloon and the grogshop, and the democratic party because, they believe, it would do the same thing with the same opportunity.

### PERSONAL INTELLIGENCE.

CHARLES A. DANA will go to Europe for the winter.

SENATOR JONES, of Florida, has been lecturing in Detroit for the benefit of an orphan asylum.

GEORGE HAMILTON CHESTER, the marquis of Donegal, is dead. He was born February 10th, 1798.

EX-CADET WHITTAKER has established a military school for colored youths at Charleston, S. C.

The apostolic delegate arrived at Quebec Saturday, and was met at Levis by the archbishop and clergy.

The old house in which Stonewall Jackson was born, in Clarksburg, Va., was torn down a few days ago to make way for improvements.

PRINCESS VICTORIA, daughter of the Crown Prince Frederick William of Germany, has been betrothed to the hereditary prince of Anhalt.

OSCAR WILDE made a flat failure as a lecturer in Manchester, Eng. More than half of his audience walked out before he had been talking ten minutes.

LORD ROSMERE as grand master of the Orangemen of Monaghan, has written to the London newspapers calling attention to the serious state of affairs in Ulster.

Now that Mrs. Langtry has been insulted by a crowd of hoodlums in Wall street, we suppose Great Britain will demand an apology of this country.

The beauty of such a complication would be that it would give Mr. Freilinger something to do. That antique mosaic has been busy employed doing nothing ever since his famous diplomatic expression of sympathy and bad grammar to Queen Victoria.

### SOUTHERN INTELLIGENCE.

THE Florida pineapple is second in importance only to the orange and lemon.

It is now claimed that the crops in North Carolina will turn out two-thirds of an average yield.

PETER WASHBURN, aged 80, has just been married in Marshall county, Kentucky, to a lady aged 70.

The electric light has been successfully introduced in Little Rock. Everyone is charmed with it.

At Selma, Alabama, forty-six leading business houses, during the past year, did a business of \$11,814,850.

A SINGLE pumpkin vine on the farm of Dr. W. M. Clark, six miles south of Nashville, bore sixty-nine pumpkins.

The rice crop just harvested and saved is reported to be the largest ever made in the parish of Jefferson, Louisiana.

THE Courier-Journal tells of a dog in Jessamine county, Kentucky, that crows in imitation of a rooster every time he hears one.

A LADY whose name is not given gave birth

to a child on a Cincinnati Southern train near Lexington.

The association of the confederate army of northern Virginia will have a reunion at the capital in Richmond on the first of November. An address on "The Battle of Fredericksburg" will be delivered by General A. M. Seales, of North Carolina.

In New Orleans there is now on exhibition a bale of raw silk from cocoons grown in Louisiana and reared at the Louisiana silk spinning mill, which is worth \$7 per pound. The bale weighs thirty pounds eight ounces, and comprises 633 skeins, making 1,300,000 yards.

### THE ART LOAN OPENING.

The second Art Loan of the Library association opened last night at 8 o'clock at the hall of the Young Men's Library. An elegant assemblage of ladies and gentlemen greeted the opening of the entertainment which is to represent the taste and culture of the city, while it will educate the taste of its people for what is beautiful and true in literature and art.

The exercises were opened with music by the Atlanta Musical Union band in full dress uniform. The band has improved remarkably of late and now gives an orchestral entertainment of rare excellence. Its efforts last night were supplemented by Professor Cohen's string band, in a variety of classical and popular selections. The music was given in a most pleasing and interesting manner, and it will continue while the Art Loan lasts.

PRESIDENT Charles E. Harmon, in opening the exercises, announced that the second Art Loan would follow in the footsteps of the first as an honest effort to improve the tastes and entertain the people of Atlanta. It was a part of the work of the library. Some features would be found different from those of the first Art Loan, but it was hoped that the two taken together would afford sufficient attraction to merit a liberal patronage and a liberal subscription. The second Art Loan was the association. While his own remarks were being applauded, Mr. Harmon introduced Governor McDaniel, who was warmly received.

LADIES AND GENTLEMEN: The exhibition which the Young Men's Library association is about to open is not merely for entertainment, but for instruction. Art has its uses as well as literature. A taste for the beautiful is the natural outgrowth of a taste for letters. Opportunity gives to the expression as natural in the one as in the other; combined effort has done much to elevate and improve the literary taste of the people of Atlanta.

The influence of the library has been felt in many of the books in the increase of private collections of books. Thus has the community been doubly enriched. A similar process will produce similar results in art. To bring within the reach of all a collection of pictures, many of them masterpieces of genius, otherwise inaccessible will correct the taste of art in some, and improve the taste of all. For this public benefaction we owe the library, and to the president and directors of the association, which we heartily commend.

The delight with which we view and study with interest the collection of pictures, and the pleasure which we derive from the contemplation of the genius here displayed, but which will be increased more fully by the contemplation of the art of the artist. They have been selected as the most beautiful and interesting of the collection, and we are glad to see them in this exhibition, the pleasure to be derived from the contemplation of the art of the artist.

Senator Colquhoun said that he had been invited to deliver a lecture on the subject of the exhibition of the collection of pictures, and he was glad to see them in this exhibition, the pleasure to be derived from the contemplation of the art of the artist.

Mr. Harmon said that he had been invited to deliver a lecture on the subject of the exhibition of the collection of pictures, and he was glad to see them in this exhibition, the pleasure to be derived from the contemplation of the art of the artist.

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here last night, and made a confession that having been threatened with punishment by R. T. Arnett, he had been in the habit of beating him, and was working, he determined, on the night of September 23rd, after Arnett had gone to bed, to escape. Re-thening Arnett's threat to follow him, he went back and shot Arnett as he lay asleep. He took his victim's money and escaped with the staff.

### THE DAY'S SPORTS.

The Cambridgehire Stakes—A Full Day at Brighton Beach.  
LONDON, October 23.—The race for the Cambridgehire stakes was won by Bendigo, Tonicus second, and Medius third.

BRIGHTON BEACH.  
NEW YORK, October 23.—There were scarcely five hundred people at Brighton Beach to-day. First race, purse \$250 for three-year-olds, selling allowance, three-quarters of a mile, Bendigo won, Tonicus second, Shelby Barnes third; time 1:19.

The second race, purse \$250, for three-year-olds, three-fourths of a mile, Lena won, Holy Rod second, Court third; time 2:18 1/2. The third race, purse \$250, for all ages, selling allowances, five-eighths of a mile, Orange Blossom won, Bonito second, only two started. The third race, purse \$250, for all ages, three-fourths mile, Follow-up won, Monmouth second, Lizzie B. third; time 1:17 1/2.

The fourth race, purse \$250, for all ages, mile heats. First heat, Mediation won, Kille H. second, Brigard third; time 1:46 1/2. Second heat, Alvine third; time 1:58 1/2. The fourth race, \$100, divided all round, for all ages, mile heats. Second heat, Brigard won, Mediation second, Kille H. third; time 1:58 1/2.

THE MEMPHIS RACES POSTPONED.  
BALTIMORE, October 23.—In consequence of the heavy rain storm which continued since midnight and the bad condition of the track, the meeting of the Maryland jockey club was postponed until Thursday.

THE BOARD OF FIREMASTERS.  
In a Called Session. Investigate Charges Against Two Firemen—The Underwriters.

There was a called session of the board of firemasters last night. There were present Mayor Goodwin, president, and Firemasters McCallin, Brotherton, Lowry, Gray and Adamson and Chief of the Fire Department Ryan. Charges were preferred against W. B. Cummings, foreman of No. 2 steam engine company. The evidence demonstrated the fact that the game of check-a-lot had been indulged in at the enginehouse by several of the firemen. The board of firemasters did not consider it a grave offense and voted a reprimand.

There were also preferred against Watts (a negro) the real driver of the same company and a lady punishment was inflicted.

A committee from the board of water commissioners requesting a connection with the fire alarm system was read and referred to the chief of the fire department for the purpose of ascertaining the cost of its construction.

A lengthy communication from the Atlanta underwriters setting forth their losses and their demands for an increased service was presented. It was the same paper that has been published in the Constitution. The board decided to defer action in order to fully investigate the matter obtained in the communication.

On the 14th of August, 1878, accompanied by one deputy, he captured Louis Rousseau (who had murdered young Briggs at Vile Creek, near the Canadian river, in the Creek nation. There being a dual government at that time in the Indian territory—the "Powhatan" and the "Creek" party—and being unable to procure the assistance of an United States marshal, Dusen made the arrest on his own responsibility and subsequently made the following return to Governor Kellogg: "Not being able to procure the aid of the Indian authorities, I proceeded to capture and execute the requisition myself." Rousseau was brought back to St. Landry, tried and convicted of murder, and under warrant of Governor Kellogg was hung by Dusen on the 8th of June, 1877.

On the 10th of August, 1878, a requisition was placed in Dusen's hands for the apprehension of one Thomas Sloane, charged with rape on a girl ten years of age. Sloane had fled to Texas immediately after the commission of the crime, and Dusen pursued him for twenty-nine days through Central Texas to southwest Texas and then up to San Saba, Texas, where he caught him and returned him to St. Landry.

In October, 1879, Captain Sam Haas, of Choctaw, had two horses stolen from his stable. Dusen and Haas pursued the thieves for five days and captured them both in Bonham, Texas. One of these men was a Texas murderer and a dangerous man for trial robbery. The other had just been tried in Rapides parish for the murder of a negro.

In March, 1880, a requisition was issued for the arrest of one John Sonnier, who had been indicted for murder in St. Landry and Calcasieu parishes. He had been a fugitive since July, 1877. Many fruitless efforts had been made to capture him, and he was regarded as a Texas murderer and a dangerous man for trial robbery. The other had just been tried in Rapides parish for the murder of a negro.

In company with Sheriff Noble and Deputy Sheriff John Fahey, who in February, 1881, had murdered a convict, Sonnier was guarding prisoners under the name of Miller. He was only captured after a desperate struggle with him, and he was taken to the penitentiary at Baton Rouge.

In April, 1881, Governor McRae issued a requisition for the arrest of one R. T. Clark, charged with murder. With fifteen men, Dusen was necessary for our champion sheriff was that of Lane and Brown, for the murder of old man Nesly, on the 19th of February, 1880, a few days after which a light fight ensued, Dusen killing Lane in a hand-to-hand combat and Brown being wounded in the right hand. The details of this service are still fresh in the minds of my readers.

Dusen has made a large number of arrests for lesser offenses, which he has succeeded in making these noted criminals a rare detective skill and a man of great energy and courage. It must be borne in mind that in tracing up and arresting these noted criminals a rare detective skill and a man of great energy and courage. It must be borne in mind that in tracing up and arresting these noted criminals a rare detective skill and a man of great energy and courage.

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## EPISCOPAL MISSIONS.

## A LIVELY DAY IN THE EPISCOPAL CONVENTION.

A New Diocese for North Carolina—Shall the Negro have a Separate Organization?—An Apparent Middle with Bishop Riley, of Mexico—Notes of the Convention.

PHILADELPHIA, October 23.—In the Episcopal convention to-day a message was received from the house of bishops which stated that they had receded from their former action, and had agreed to concur with the house of deputies relative to the division of the diocese of North Carolina. Rev. Dr. Benedict, of southern Ohio, offered a resolution that the house of bishops concurring the sessions of the convention continue for the purpose of considering the report of the joint committee on the book of common prayer, as long as there shall be a quorum of both houses, or until the consideration of the report shall have been completed. Mr. Minor of Connecticut, said it was a question whether the deputies should remain here three or four weeks longer, or whether the consideration should be closed now. He was opposed to a single change in the prayer book. Objection being made the resolution was placed on the calendar. Mr. Mills of northern New Jersey, thought the subject of the prayer book could be concluded at this session. He offered a resolution that the general convention adjourn Friday, October 26th. At his request it was referred to the committee on unfinished business. Rev. Dr. McVickor of Pennsylvania, from the committee on place of meeting of the next general convention, reported that there was a lack of cordiality in the invitations from large cities. The question of expense is a very serious one. If the expenses could be different, the difficulty might be avoided. He offered a resolution that the whole subject of the necessary expense of holding the general convention be referred to the committee on expenses, with the request that they report as early as possible some scheme for more equally dividing the expenses among the dioceses. The report of the committee on amendments to the constitution against the tentative use of any portion of the alterations of the prayer book was adopted and the committee discharged.

THE COLORED BROTHER. The order of the day was then taken up, viz: Report number twenty of the committee on canons, relating to the report of the special committee on the Sewanee conference, with regard to the work among the colored people in the south. The committee reported that, in their opinion, the legislation intended for good might operate for evil. Any legislation by the convention might be the cause of serious disorder. The church cannot too carefully avoid drawing lines of distinction between the different classes. The report contained resolutions recommending that the board of managers of the missionary society be requested to appropriate as large an amount as possible to the missions of the colored people. The special committee on the Sewanee conference had reported recommending the adoption of a canon for the establishment of separate organizations in the different dioceses under the direction of the bishops. Rev. Dr. Porter, of South Carolina, moved as a substitute the report of the special committee, and spoke at some length in support of his motion.

Dr. Porter said this question is generally treated as if it was an entirely southern one. How will we Christianize Africa? The census of 1880 shows that the population of the southern states was at that time 15,482,380. Of these 9,635,000 were whites and 5,847,371 were colored people. The baptized members of the church in that section number 300,000. Of this number, 270,000 are white and 30,000 colored. The number of communicants is 80,000 and of clergymen 800. The church in the south is stirring herself, but what is the church in the north doing with all her wealth? Before 1860 there were nearly 1,000,000 of professed Christians among the colored people of the south. The Methodist and Baptist have done glorious work, and while we do so little we ought not to decry the work of others. In the Episcopal church there are to-day in the south but eighty candidates and postulant to take up the work. If we are to do any extensive work among the colored people, we must obtain large reinforcements from the negroes themselves. There are but forty-six black and colored persons in the priesthood and deaconates. The colored people should be helped to educate their children, and they will respond as readily as any other people. Too much, however, must not be expected of them, but we should take into consideration their surroundings. The colored man meets with the competition of the whites, and race prejudice at the north and south. It is the duty of the church to give all who are fitting themselves to fill positions, an exercise of practical common sense is necessary as well as learning. Some people say, "The negroes lay leaders or catechists. The negro feels that catechists can do no better than he can. Dr. Porter claimed that each separate congregation is a separate ecclesiastical organization. The report of the special committee does not make it obligatory to form separate missionary organizations in any diocese, but it gives permission to form such organization. The missionary boards of the thirteen dioceses have so few men working with, that they cannot accomplish much. The speaker knew of ten places where missions could be established. Their work would be also to seek out candidates for ministry. What has the Episcopal church, in all her wealth, done? What has she to do? The speaker cited a few cases, and urged that very little is being done by the Episcopal church for the colored people. Rev. J. Robert, of Mississippi, desired to thank the committee for what they had done. They brought in resolutions full of sympathy. As resolutions express the feeling of every body, priest and layman, and to be of service, this is the American Catholic church, and those in the southern diocese as well as those in the northern diocese, know that there are difficulties in the case. He did not wish the general convention to wrestle the power and say to the different dioceses: "You shall not do this or that without authority." There is no need for it. The negroes have just as much religion in them as we have. We are not heathens; we have in the Lord Jesus. Dr. Robert said that the church could go to the adults as well as the children of the colored people. Why not make the same requirements for colored persons seeking for the ministry as for white persons? Rev. Dr. Goodwin, of Pennsylvania, warmly glad to hear that self consideration had not been appealed to. The point is, here are men perishing in the midst of us for the lack of instruction and knowledge. Here they are wounded and stripped of their raiment, and we are this shown to elevate the condition of the negro. In the church of Christ there is no race. There is no color line. If the whole church, north and south, enters heartily upon this work, it must be on this basis. We have nothing to do with the social part of the question, but we must remember that the same system on which the beloved disciple rested his head, is ready to receive the lowliest negro in the United States. Dr. Goodwin preferred the report of the committee on canons. At the divinity school, West Philadelphia, ten colored men have already been graduated, who have acquitted themselves most creditably, some of them being leaders in their class. Mr. Fairbanks, of Florida, said the Sewanee conference had discussed the subject for several days. He stated that some of the southerners, in which number he was included, had always opposed class distinctions. In all parts of the south are now separate congregations. If the convention

would not adopt a general canon on the subject, Mr. Fairbanks hoped money would be given to carry on the work. Rev. Dr. Gray, of Tennessee, said that six millions of people ask the convention to do something for the promotion of true religion and morality among them.

The substitute for the report of the committee on canons was not agreed to. The two houses met in the afternoon as the board of missions. James M. Broton was elected treasurer of the domestic and foreign missionary society. The bishop of Utah then took the chair, and the Bishop Doane, of Albany, presented the report of the Mexican commission, which was also an increased dissatisfaction was felt as to the conduct of affairs in Mexico. In October, 1882, the commission expressed to Bishop Riley, in strong terms, their opinion that the church should not be called on to support the church in Mexico until all the terms of covenant had been met and his presence was requested in New York. A communication was subsequently sent to Bishop Riley, by Bishop Doane, in which he stated that it appeared to the commission that there had been an apparent want of open dealing with regard to the liturgy and that actually its completion was being impeded. There had been also an apparent misappropriation of funds and several congregations in Mexico have never received an Episcopal visitation. No answer was received to this communication. A telegram was subsequently sent requesting the presence of Bishop Riley in this city on the 18th instant. On the 10th an answer was received that Bishop Riley could not leave his work on such short notice. A resolution was then passed, in which it was concluded that the work could not be carried on under Bishop Riley, and on the 10th instant he was required to resign the work. An answer has since been received which seemed to imply that Riley had resigned. The report stated that the mission had for years been supported in a great measure from the bishop's own fund. There was no question with the commission as to the duty of reforming the reform movement in Mexico, but the commission was not prepared to state what the method should be.

A communication from the house of bishops was read stating that by a unanimous vote they had approved of the action of the commissioner in requesting the resignation of Bishop Riley of Mexico, and also recommending that the mission work in Mexico be carried on.

Discontinued Labor. Oswego, N. Y., October 23.—Out of two hundred Cananda longshoremen employed to handle lumber by Rathbun & Co., all except fifteen men returned home last night. Matters are now quiet. The citizens' corps is under arms. Rathbun & Co., it is said, will bring over other men to take the place of those who left last night. Serious trouble may yet ensue.

Tribute to Colonel L. M. Hill. At a meeting of the board of directors of the Gate City National bank, the following tribute was adopted: "The memory of Colonel L. M. Hill, its late vice-president, was unanimously adopted."

It is with deep grief that we bow to the will of the Almighty in removing from our midst our late associate and friend, Colonel L. M. Hill. In paying this tribute to his memory, we can truly say that as a business man he had no superior. His dealings were always fair, upright and honest. The magnificent fortune that he left to his family has been his superb business talents and qualifications.

As a public citizen he did all that he could to promote the general welfare. He served his country in his legislative halls with distinction and honor to himself and his constituents.

To appreciate him one should have known him at home in the family circle. He was never happier than when surrounded by his family of twelve children and numerous grand children. He was indeed like one of the patriarchs of old. He often had the family gathered at the old family homestead and always delighted in these family reunions.

As a friend he was true as steel. A kind Providence permitted him to live to an old age, to see his sons grown around him, to enjoy the fulfillment of all of his business enterprises and then quietly and gently as the setting sun to pass away from earth's busy scenes.

His memory will ever be cherished by the directors of this bank. Resolved, 1. That a page of the minutes of this board be devoted to the inscription of his name, office, birth day and day of the death of our honored associate.

2. That a copy of this tribute be sent to the family of our deceased associate and friend, and published in the Atlanta Constitution.

W. A. HEMPHILL,  
R. H. RICHARDS,  
W. P. INMAN,  
C. BEERY,  
Directors.

HYMENEAL.  
HINMAN—WILSON—Married, at the First Presbyterian church, Mr. George B. Hinman to Miss Virginia Wilson. The attendants were Mr. Frank Hinman and Miss Ora Welborn. Rev. Dr. Barnett officiating. The happy couple left on the 2:50 train for points north.

DISSOLUTION OF PARTNERSHIP.

HAVING BOUGHT OUT THE INTEREST OF Mr. Charles W. Fox in the Coal and Wood business of Fox & White, No. 42 Broad street, I take this means of thanking our former partner for their courtesies and solicit a continuance of the same. Prompt deliveries and good weights shall characterize my dealings with the public.

October 23, 1883.

NOTICE.  
I have this day sold my interest in the Coal and Wood business of Fox & White, No. 42 Broad street, to Mr. Menzo White, who will continue the business at the old stand and collect all outstanding bills. With thanks for past favors, I solicit a continuance of the same to Mr. Menzo White.

October 23, 1883.

CHARLES W. FOX.

WANTED.

GENERAL AGENT

—FOR—

HOMESTEAD GUANO.

—AND—

BONE BLACK FERTILIZER.

A GENERAL AGENCY, WITH SOLE CONTROL

of the brand in Georgia, will be given

to a responsible firm on the condition of

an annual purchase of two thousand

tons for delivery during November, December and

January. For terms and particulars address

MICHIGAN CARBON WORKS,

Detroit, Mich.

Ida C. Markie vs. A. W. Markie. Life Insurance

in Fulton Superior Court—Fall Term, 1883.

IT APPEARING TO THE COURT BY THE RE-

turn of the sheriff in the above case that the

defendant does not reside in said county, and it

further being made to appear to the court that he

resides out of this State.

It is ordered by the court that service be made on

said defendant by the publication of this order

once a month for four months in the "Atlanta

Constitution."

W. A. HAMMOND,

J. C. C. C.

A true extract from the minutes of the superior

court of said county, This October 16, 1883.

C. H. STRONG, C. S. C.

**ROYAL**  
Baking Powder  
Absolutely Pure.

This powder never varies. A marvel of purity, strength and wholesomeness. More economical than the ordinary kinds, and cannot be sold in competition with the multitude of low-test, short-weight, skim or phosphoric powders. Sold only in cases. Wholesale by Royton Bros., Atlanta, Ga.

**CHASE & SANBORN,**  
87 BROAD AND 8 HAMILTON STS.,  
BOSTON.  
Sole Importers and Distributors of this elegant growth of Coffee.

**THE BEST COFFEE IN THE WORLD.**  
**CHASE & SANBORN'S**  
**STANDARD**  
**JAVA**  
Warranted strictly pure and of the finest quality.  
Always packed unground.

Also, Old Government Java, Combination Java, Mocha, Maracibo, Extra Rio, and any kind—Always Reliable. "Always Uniform." Remember, Coffee packed in wood or paper soon becomes stale and unfit for use. Send for Price List. Orders can be filled to dealers from here. "Every can guaranteed strictly pure."  
GEO. M. STOVALL & CO.,  
Atlanta, Ga.  
Sole Agents Georgia, Alabama, S. C. and Fla.

**Fleischmann & Co's Compressed Yeast**  
The ladies of Atlanta may now be supplied with this celebrated yeast by calling upon their grocer. This is the yeast used at the Vienna Model Bakery of the Centennial Exposition. It has taken first premium at Vienna, Amsterdam, Prague, Paris, New Orleans, St. Louis, Chicago, Cincinnati, New York, Boston, Baltimore and Philadelphia. It is a purely vegetable yeast, put up in tin foil with yellow label, and delivered fresh daily to the grocer and baker trade of Atlanta. Full directions for making bread and Vienna pastry can be obtained of your grocer. Very respectfully,  
FLEISCHMANN & CO.,  
Manufacturers compressed yeast. Georgia agency, 110 Peachtree street, Atlanta.  
JNO. E. KENNEY,  
Agent-in-charge.

The superior merits of the watches having Stevens' Patent improvements are acknowledged by every person wearing them. Railroad men, and others requiring great accuracy in time pieces, endorse them, and we are prepared to show by incontestable proof, that no other watch not having these improvements will produce such accurate results in time keeping. They are durable, dust-proof, and reliable, and considering quality, the cheapest watch in the market. Send for our illustrated catalogue and prices.

J. P. STEVENS WATCH CO.,  
Atlanta, Ga.

**A. B. ANDREWS**  
Is now offering the most desirable line of

**FALL & WINTER**

**OVERCOATS.**

—THE—

**NOBBIEST LINE OF SUITS,**

And the largest stock of

**UNDERWEAR!**

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**AMUSEMENTS.**  
**OPERA HOUSE.**  
TUESDAY AND WEDNESDAY, OCT. 23 AND 24.  
GRAND MATINEE WEDNESDAY.  
America's Favorite Comedian.

**C. B. BISHOP**  
Supported by the Charming Actress,  
**MISS EMMA PIERCE.**  
And a Specially Selected Comedy Company.

Tuesday Evening and Wednesday Matinee, A. C. Grier's New Dramatic Comedy, entitled  
**STRICTLY BUSINESS.**

Wednesday Evening, October 24, Grand Double Bill—H. J. Byron's Successful Society Comedy,  
**OUR BOYS.**  
And the Funniest Farce that ever was written.  
**WANTED—1,000 MILLINERS.**  
Mr. Bishop will appear in both plays.  
Usual prices. Seats for sale at Phillips & Crew's.

The Management has the honor to announce the first appearance of the city next  
**THURSDAY EVENING, OCTOBER 25, OF**  
**MME. MINNIE HAJK**

Leading Prima Donna of Her Majesty's Opera of London and New York, and of the Imperial Opera of Vienna and Paris, supported by her own company of sterling artists, in  
**GRAND STATE CONCERT AND OPERA.**

Part I. Miscellaneous.  
Part II. Scenes second act of Bizet's Grand Opera of "Carmen,"  
**CARMEN,**  
(In Full Costumes.)

The Company includes: Mile. Salt, contralto, late of Adeline's opera company, Sig. Montegriff, tenor; Sig. DePeschualis, baritone, late of Scala theater, Milan; Sig. Guarro and  
**MR. CONSTANTINE STERNBERG,**  
The Celebrated Pianist and Composer.  
Reserved seats at Phillips & Crew's box store. Prices as usual. Reserved seats 50 cts. extra at Phillips & Crew's.

**FRIDAY AND SATURDAY, OCTOBER 26 AND 27.**  
MATINEE.

**THE TIME TRIED!**  
**BARLOW, WILSON & CO.'S**  
**MAMMOTH MINSTRELS!**

Warranted by the successes of the past, have been stimulated to great endeavor to  
**EXCEL ALL THEIR PAST EFFORTS!**  
And to achieve, through their genuine artistic merit! Very Experience! and Indomitable Energy!  
**VERY ACME OF PERFECTION!**

In the Reorganization and Augmentation of their Justly Acknowledged  
**STANDARD MINSTREL COMPANY**  
OF AMERICA.

The Gage for Critics!  
The Envy of Would-be Rivals!  
The Copy for Imitators!  
**A TOWERING GIANT AMONG THE MINSTRELS!**  
Usual prices. Reserved seats at Phillips & Crew's.

**TWO FREE LECTURES**  
—BY THE—  
**VETERAN NEW YORK PHRENOLOGIST.**  
**O. S. FOWLER,**  
IN CONCORDIA HALL.

Friday evening, October 26, at 8 o'clock on "Phrenology and Self-Culture." FREE.  
Monday evening, 29, "Success and Failure." FREE.  
Tuesday evening, 30, "Love and Marriage." Admission 25 cents.  
Wednesday evening, "Manhood and its Improvement." Admission 50 cents.

Consultations as to your own and children's business, management, adaptation in marriage, etc., at the Markham house till Thursday, 10 p.m., or thence this your only chance to hear and consult this acknowledged head of mental science.

**JOHN T. HALL & CO.**  
P. S.—Call on us for any information.

**POSTPONED SALE.**

THE SALE OF THAT VALUABLE CENTRAL business lot fronting 234 feet on the northeast side of Decatur street, adjoining Traynham & Ray, has been postponed to Wednesday next, the 24th instant. To be sold on the premises at 10 o'clock sharp on that day for cash, and no mistake. Be on hand. It must be sold.

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WROUGHT IRON PIPE FOR STEAM, WATER AND GAS.  
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**STEAM FITTING**

—IN ALL ITS BRANCHES.—  
FIRE HOSE FOR CITIES A SPECIALTY!

**FOR SALE—Machinery.**  
**FOR SALE—ONE NEW RETURN TUBULAR** boiler. Thirty horse power. Apply to Seiple & Son.

**MONEY TO LOAN.**  
**MONEY TO LOAN IN SUMS OF \$5 TO** \$1,000 on first-class paper or collateral, at National Loan office, 163 Whitehall street.

**FIVE YEAR LOANS NEGOTIATED ON REAL** estate security, by Nelson & Barker, 26 South Street.

**PERSONAL.**  
**MORE ABOUT THE MITCHELL CASE.**—Rev. J. Cooper, 375 Peachtree street, is not the Cooper that had anything to do with the above case, but is quietly attending to his tailoring business as usual, i.e., steady as a clock, and clean and ready to make your clothing as neatly as any one in his line. Give him a call.

**MY WRITING MACHINES IN USE IN AT-** lanta to day bear witness to the utility of the Caligraph. What the sewing machine is to the needle the Caligraph is to the pen. Twenty minutes in every hour of writing in the ordinary way may be saved, and the drudgery of the pen dispensed with altogether. W. Kay Tewksbury, Southern Manager 41 Marietta street.

**MISCELLANEOUS.**  
**A COUPLE OF GENTLEMEN OR A MARRIED** couple can obtain good board and wages in the city.

**FOR SALE—Horses, Carriages, Wagons**  
**FOR SALE—A PAIR OF WELL MATCHED** young, gentle horses; will sell one or both. Also a second-hand carriage, very cheap. Alex. R. Jones.

**LADIES' CLOATHS.**  
**OVERSTOCKED FEATHERS, DYED, CLEANED AND** curled; feathers dyed in all shades and the latest tints without injury to the feathers, cleaned and curled in the improved manner by L. Phillips, No. 13 North Broad street.

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**CARRIAGES AND BUGGIES—A LARGE** assortment of the best can always be found at Branch Milburn Wagon Company, 115-building.

**WAGONS, WAGONS—SIX HUNDRED** reliable Milburn wagons now in stock at Branch Milburn Wagon Company, 3 and 43 Decatur street, Atlanta, Ga.

**WE HAVE NOW IN STOCK—**  
Half Top Victoria.  
Surries on 11' kin spring, with canopy and extension top.  
Bowler.  
Spring Buggies.  
Side Spring Buggies.  
Platform Spring Phaetons.  
Three-Spring Phaetons.  
Two-Spring Spring Phaetons.  
Spring Wagons, three springs.  
Spring Wagons, full platform springs.  
Gentle Wagons.

**DRUMMERS WAGONS** and an endless variety of farm wagons. Milburn Wagon Co., 3 and 43 Decatur street.

**LOST.**  
**LOST—A CHECK DRAWN BY W. H. JOHNSON,** revenue collector, in favor of G. W. Kessler or order, for fifty-four dollars, on the Atlanta National bank and endorsed by said Kessler. All persons are hereby notified not to trade for the same. John Dornell. October 23, 1883.

**THAT BEAUTIFUL COTTAGE**  
ON GREEN'S FERRY ROAD.  
ITS SALE LAST EVENING WAS POSTPONED ON account of the weather. It will be sold on the premises on Thursday next, 25th inst., at 10 o'clock, p. m. Free ride from our office at 5 o'clock.

**JOHN T. HALL & CO.**

**DISSOLUTION OF PARTNERSHIP.**  
ATLANTA, GEORGIA, October 23, 1883.

**THE FIRM OF TEWKSBURY & CROMELLIN** is dissolved by mutual consent. Mr. Tewksbury is alone authorized to collect all claims due the firm, and settle all indebtedness.

**W. KAY TEWKSBURY,**  
R. F. CROMELLIN.

**JOHN T. HALL & CO., AUCTIONEERS;**  
P. S.—Call on us for any information.

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37 Peachtree St., Atlanta. Oct. 18, 1883. No. 7 Broad street